



PETITION FOR RULEMAKING

CRM Oversight and Disciplinary Regulations



Background

- Rancho Guejito
 - 22,500-acre working ranch in northern San Diego County
 - Substantial agricultural and ranching operations



Background – CRM Dispute

- April 2012: Superior Court issues Three Year Workplace Violence Restraining Order against CRM
- March 2013: Court of Appeal upholds Three Year Workplace Violence Restraining Order against CRM
- October 2013: Rancho Guejito files disciplinary complaint with Board of Forestry.
- December 2013: CRM files lawsuit in federal court against Rancho Guejito.
- June 2014: Board rejects Rancho Guejito's complaint in 2 paragraph form letter.
- August 2014: Board rejects Rancho Guejito's attempts to appeal or obtain reconsideration.
- March 2015: CRM dismisses his federal court lawsuit against Rancho Guejito; no relief granted.
- Aug. 2014 – May 2016: Rancho Guejito v. Board superior court lawsuit.

Background

- July, Sept. 2016: Range Management Advisory Committee meetings
- Nov./Dec. 2016: Annual Call for Regulatory Review comments
- Jan., March 2017: PFEC meetings
- Various – CRM Panel meetings (until no longer public)

Background – CRM Dispute

■ Superior Court, 2012

– CRM

- “engaged in unlawful violence,”
- “made a credible threat of violence,” and
- “demonstrated a history of alarming conduct, including the making of threats, gaining access to gaining access to Rancho Guejito’s property by deception, attempting to force his way into Rancho Guejito’s offices, disregarding directives to have no contact with Rancho Guejito personnel, changing e-mail addresses to avoid Rancho Guejito’s electronic blocking of unwanted e-mails, and confrontations with Rancho Guejito’s security officers.”

– “The Court is satisfied that on each occasion, [the CRM] was needlessly aggressive and confrontational.”

– **Three-Year Workplace Violence Restraining Order Issued**

(Petition, Attachment 1.)

Background – CRM Dispute

■ Court of Appeal, 2013

- “[The CRM] made actual threats, including telling employees that it would be better ‘to have [him] as a friend than an enemy,’ and made an implied threat when he said that management had enough problems ‘without pissing [him] off.’ These statements, particularly when combined with [his] repeated contacting of employees and his penchant for appearing on the Rancho Guejito property or just outside of its boundaries despite knowing that he was not welcome, are sufficient to constitute a credible threat of violence.”
- **Three-Year Workplace Violence Restraining Order Upheld**

(Petition, Attachment 2.)

Background – Problems with CRM disciplinary process

- No witnesses contacted or interviewed as part of investigation
- Known and potentially unknown ex parte communications; no consideration of bias
- All discussions behind closed doors
- No meaningful explanation for decision
- No process to appeal or to get additional information
- No reasonable standards for decision/ arbitrary standards used

could have handled this business better. - reflects on
badly on Cal Pac

Concerns over specific actions - but don't provide a
letter because we can't keep it confidential

* Notes from April 16, 2014 CRM Panel meeting